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Docket No.: 03108/0201077-USO
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Raj M. DESHPANDE et al.

Application No.: 10/810,463

Confirmation No.: 9325

Filed: March 26, 2004

Art Unit: 1621

For: PROCESS FOR THE SYNTHESIS OF ALPHA-SUBSTITUTED ACROLEINS

Examiner: Sikarl A. Witherspoon

**DECLARATION OF RAJ M. DESHPANDE, MAKARAND M. DIWAKAR AND
RAGHUNATH V. CHAUDHARI UNDER 37 C.F.R. § 1.132
AND IN ACCORDANCE WITH *IN RE KATZ***

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Raj M. DESHPANDE, I, Makarand M. DIWAKAR, and I, Raghunath V. CHAUDHARI, do hereby declare and state as follows:

1. I am a citizen of India and am more than 21 years of age.
2. I am one of the inventors in the above-identified patent application, and make the following averments on behalf of myself and the other co-inventors in this application.
3. I have read and am familiar with the instant application as it was filed in the U.S. Patent and Trademark Office (USPTO), the pending claims of this application, and the Office Action mailed by the USPTO on November 11, 2005 in connection with this application.
4. R.M. Deshpande, M.M. Diwakar, A.N. Mahajan and R.V. Chaudhari are co-authors of the article entitled "Biphasic catalysis for a selective oxo-Mannich tandem synthesis of methacrolein," *Journal of Molecular Catalysis A: Chemical*, 211:49-53 (2004) ("Deshpande"). This

article was published March 15, 2004, *i.e.*, less than one year prior to the filing date of the present application.

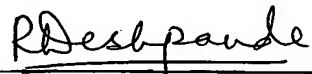
5. I understand that the Deshpande publication was relied upon in the November 11, 2005 Office Action to reject claims 1-4, 9, 10-20 and 22-24 of the application under 35 U.S.C. §102(a) and claims 5-8 and 21 of the application under 35 U.S.C. §103(a). The present declaration is submitted to describe the contribution of the authors of the Deshpande publication.

6. Co-authors R.M. Deshpande, M.M. Diwakar and R.V. Chaudhari provided intellectual input regarding conception and development of the process for the biphasic, tandem synthesis of methacrolein disclosed in the Deshpande publication, and were named as co-authors because of these contributions. Co-author A.N. Mahajan merely provided analytical input into the Deshpande publication, and did not contribute to the actual research. A.N. Mahajan did not contribute to the conception of the presently claimed process.


7. The presently claimed process for preparing alpha-substituted acroleins was conceived, developed and invented by Raj. M. Deshpande, Makarand M. Diwakar and Raghunath V. Chaudhari only.

8. I further declare that all statements herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the present application or any patent issuing thereon.


Dated: 28/7/06


Raj M. Deshpande, Inventor

Dated: 28/7/06


Makarand M. Diwakar, Inventor

Dated: 28/7/06


Raghunath V. Chaudhari, Inventor